

Judge John H. Chun
Magistrate Judge Theresa L. Fricke

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEVON OLIVERE,

Petitioner,

v.

MERRICK GARLAND, Attorney General
of the United States; ALEJANDRO
MAYORKAS, Secretary, United States
Department of Homeland Security;
NATHALIE ASHER, Seattle Field Office
Director, United States Citizenship and
Immigration Services; WARDEN of
Immigration Detention Facility; and the
U.S. Immigration and Customs
Enforcement,

Respondents.

NO. C23-215-JHC-TLF

STIPULATED DISMISSAL OF
PETITION FOR WRIT OF HABEAS
CORPUS UNDER FED. R. CIV. P.
41(a)(1)(A)(ii)

Comes now, Petitioner Kevon Olivere, through Assistant Federal Public
Defender Gregory Murphy, United States Attorney Nicholas Brown and Assistant
United States Attorney Michelle R. Lambert, jointly stipulate and agree as follows:

WHEREAS on February 17, 2023, Kevon Olivere, Petitioner, filed a habeas
petition challenging his continued immigration detention. Dkt. No. 1.

WHEREAS Kevon Olivere, Petitioner, was released from custody on an order of
supervision on February 22, 2023.

STIPULATED DISMISSAL OF PETITION
FOR WRIT OF HABEAS CORPUS
(Kevon Olivere, C23-215-JHC-TLF) - 1

FEDERAL PUBLIC DEFENDER
1601 Fifth Avenue, Suite 700
Seattle, Washington 98101
(206) 553-1100

1 WHEREAS the parties agree that Petitioner's release rendered the habeas
2 petition moot. *See Abdala v. Immigration and Naturalization Service*, 488 F.3d 1061,
3 1065 (9th Cir.2007).

4 WHEREAS the parties agree that this action should be dismissed as moot
5 without fees or costs to either party.

6 WHEREAS the parties, through their respective counsel of record, do hereby
7 stipulate and agree, and respectfully request, that the Court make and enter the
8 following order:

9 1. Petitioner's petition is hereby denied and dismissed as moot without fees or
10 costs to either party.

11 SO STIPULATED

12 DATED this 27th day of February, 2023.

13 Respectfully submitted,

14 NICHOLAS BROWN
15 United States Attorney

16 s/ Michelle R. Lambert
17 Michelle Lambert, WSBA No.
18 Assistant United States Attorney
19 Western District of Washington
20 United States Attorney's Office
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23 Phone: 253-428-3824
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25 *Attorneys for Respondents*

s/ Gregory Murphy
Gregory Murphy, WSBA No. 36733
Assistant Federal Public Defender
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E-mail: gregory_murphy@fd.org
Attorney for Petitioner

ORDER

It is hereby ORDERED that this case is dismissed without prejudice and without an award of fees and costs to either party.

Dated this 27th day of February 2023.



JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

Recommended for entry this ____ day of _____, 2023.

THERESA L. FRICKE
UNITED STATES MAGISTRATE JUDGE

Presented by:

/s/ Gregory Murphy
Assistant Federal Public Defender
Attorney for Petitioner

/s/ Michelle Lambert
Assistant United States Attorney
Attorney for Respondents